IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

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**WRIT PETITION NO : 12379 of 2004**

Between:

P.V.Anjaneyulu S/o P.V.Bharat Rao,Hindu, Age:33 Yrs.,
R/o. CISF Quarter No.21/15, CISF Colony, NFC, ECIL Post ,
Hyderabad -62

**..... PETITIONER**

AND

1 The Commandant, Central Industrial Security Force Unit,
Ministry of Home Affairs, Nuclear Fule Complex, ECIL

Post, Hyderabad -62
2 The Deputy Inspector General, Central Industrial Security Force

Unit, Ministry of Home Affairs, Rourkela Steel Plant, Rourkela,
Orissa State.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or order direction more particularly one in the nature of writ of *Mandmaus* declaring the action of the 2nd Respondent in not considering and disposing of the Appeal dated 5/11/1997 which was preferred against the order in proceedings No.V-15014/31/L&R/RSP/97/4110, dared 4/10/1997 of the Commandant, CISF Unit, Rourkela in spite of Reminder Appeals dated 10/03/1998, 19/01/2000, 21/04/2004 including legal notice, dated 7/05/2004 is illegal, arbitrary and violative of Article 14 and 16 of the Constitution of India and consequently direct the Respondent No.2 to consider the Appeal, dated 5/11/1997 including Reminder appeals dated

10/03/1998, 19/01/2000 and 21/04/2004 and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner: Mr.J.M.Naidu**

**Counsel for the Respondents: Smt.P.Madhavi Devi (SC FOR CG)**

**The Court at the admission stage made the following Order:**

In this writ petition, the petitioner is seeking a direction against the second respondent-The Deputy Inspector General, Central Industrial Security Force Unit, Ministry of Home Affairs, Rourkela, Orrisa State, to dispose of the appeal filed by him on 05-11-1997, against the order of the first respondent-The Commandant, Central Industrial Security Force Unit, Ministry of Home Affairs, Nuclear Fule Complex, ECIL, Hyderabad dated 04-10-1997.

The petitioner contends that he is working as a Constable in the Central Industrial Security Force from 04-01-1991. While working as such, an enquiry was initiated against him by the Commandant, Central Industrial Security Force Unit, Rourkela and he was imposed punishment of reduction of scale etcetera by the said Commandant. He subsequently worked under the first respondent and preferred an appeal on 05-11-1997 before the second respondent. He submitted reminder

appeals to the second respondent on 10-03-1998, 19-01-2000 and 21-04-2004 and that the second respondent did not pass any order in the appeal till now. He therefore, requested to direct the second respondent to dispose of the appeal on merits.

Heard the learned Counsel for the petitioner and Smt.P.Madhavi Devi, learned standing Counsel for Central government.

During the pendency of the appeal before the second respondent, the petitioner cannot maintain this writ petition touching upon the merits. But, since he requested to direct the second respondent to dispose of the appeal, this Court inclined to pass orders favourably.

The writ petition is accordingly, disposed of, at the stage of admission, directing the second respondent to dispose of the appeal filed by the petitioner on 05-11-1997 within a period of two months from the date of receipt of a copy of this order.

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19-07-2004

Note: Furnish C.C. by one week.

(B/o)

kdl

1 The Commandant, Central Industrial Security Force Unit,
Ministry of Home Affairs, Nuclear Fule Complex, ECIL

Post, Hyderabad -62

2 The Deputy Inspector General, Central Industrial Security Force

Unit, Ministry of Home Affairs, Rourkela Steel Plant, Rourkela,
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3 Two C.D. Copies.